

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

THOMAS GRECO	:	
Plaintiff,	:	CIVIL ACTION NO. 3:12-2576
v.	:	
		(JUDGE MANNION)
MICHAEL SENCHAK, et al.	:	
Defendants.	:	

ORDER

IT IS HEREBY ORDERED:

- (1) The motion to dismiss filed by defendant Point and Pay, (Doc. No. [16](#)), is **DENIED**.
- (2) The motion to dismiss filed by defendants Luzerne County, Northeast Revenue Services, John Rodgers, and Sean Shamany, (Doc. No. [2](#)), is **GRANTED IN PART** and **DENIED IN PART**.
- (3) Defendants' motion to dismiss plaintiff's tortious malfeasance and misfeasance claims against defendants Rodgers, Shamany, and Northeast Revenue Services, (Doc. No. [2](#)), is **DENIED**.
- (4) Defendants' motion to dismiss plaintiff's claims against defendants Shamany and Rodgers on qualified immunity grounds, (Doc. No. [2](#)), is **DENIED**.
- (5) Defendants' motion to dismiss plaintiff's equal protection claims,

(Doc. No. [2](#)), is **GRANTED**, but the court will **GRANT** plaintiff **LEAVE TO AMEND** his complaint to attempt to properly state claims for which relief can be granted.

(6) Defendants' motion to dismiss the municipal liability claims, (Doc. No. [2](#)), is **GRANTED**.

(7) Defendants' motion to dismiss the negligence claims against Northeast Revenue Services and Point and Pay is **GRANTED** except for those claims arising out of the publication of information about plaintiff's financial status and the mistaken tax sale notices.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATED: August 26, 2013

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